

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

INTERIM POLICE COMMISSIONER BRENT B. LARRABEE

ACTING FIRE CHIEF GERARD MAHONEY

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Michael J. Lombardi Building
Carmelia M. Vicente Conference Room
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

DATE: June 28, 2017

TIME: 3:05 p.m.

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P R O C E E D I N G S

June 28, 2017, 3:05 p.m

EXECUTIVE DIRECTOR ELIZABETH LINT: This is the License Commission hearing, Wednesday, June 28, 2017. It is 3:05 p.m.

We are in the Michael J. Lombardi Building, at 831 Massachusetts Ave, basement conference room.

Before you are the Commissioners Chair Nicole Murati Ferrer, Acting Fire Chief Gerard Mahoney. Commissioner Larrabee is running late.

If anyone has a cell phone on, we would appreciate if you turn it off.

If anyone is here for Highgate Hotels, that's been taken off the agenda. The matter is resolved.

And the meeting is being audio taped and videotaped.

CHAIR NICOLE MURATI FERRER: We are going

to start with the Blue Bottle, Inc. matter.

ATTY ANTHONY GALLUCCIO: Good afternoon.

Thank you Madam Chair, Fire Chief. My name is Anthony Galluccio G-A-L-L-U-C-C-I-O. I'm a partner with Galluccio and Watson, 1498 Cambridge Street, 02139. And I'm here with Attorney Kathleen Moore, also of Galluccio and Watson.

We are here on behalf of Blue Bottle. The location is 40 Bow Street.

This applicant has gone through two noticed public hearings. One at the Harvard Square Advisory. The second at the Board of Zoning Appeals where we were approved for a use change for purposes of a fast-food special permit.

The board unanimously approved that application for both restaurant and fast food.

And we're here for purposes of a common victualler.

Madam Chair, I do have additional copies of the floor plan and the menu, if you need them.

CHAIR NICOLE MURATI FERRER: I think we have them.

I'm missing the lease and letter of intent and also confirmation that this is actually 40 Bow Street because when you go the address doesn't really pop up.

And there's no door, so we were a little confused as to the address. I see stuff on Plympton.

ATTY ANTHONY GALLUCCIO: Yeah, there are two -- can I have this? There are two -- to the address, the address is definitely 40 Bow because it has been the subject of historic preservation and we went through -- the external building went through historic preservation process. Actually, it was the subject of a recent award.

The retail space is obviously on the

first floor. There are two entrances. One is on Bow and the other is on Plympton, but the formal address is 40 Bow Street.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY ANTHONY GALLUCCIO: I do have a digital copy of the lease I can forward to you. I don't have a printed copy.

The owner has approved and verified that this tenant has a leasehold interest at the Board of Zoning Appeals and at the Advisory and I apologize that you don't have that lease.

CHAIR NICOLE MURATI FERRER: Digital copy is fine.

Then just to confirm, you are asking for 22 seats but with a total occupancy of 28, is that correct?

ATTY ANTHONY GALLUCCIO: That's correct.

CHAIR NICOLE MURATI FERRER: And who is going to tell us about the concept of this?

ATTY ANTHONY GALLUCCIO: I'll be happy -- yeah, I'll do a quick overview and then I'll let the director of real estate. Shawna Sharie manager, did appear at past hearings. She wasn't able to be here today, so I did ask a representative of Blue Bottle Real Estate office to come.

Why don't I let you do a quick overview of Blue Bottle.

AARON NICE: Aaron Nice, A-A-R-O-N N-I-C-E.

CHAIR NICOLE MURATI FERRER: Go ahead, Mr. Nice.

AARON NICE: Blue Bottle was founded in 2002. It started in the Bay area out of a need for serving great coffee to residents of the area.

At the time, the founder James Freedman felt like there was a lack of attention to detail

of roast and dates and freshness of coffee.

Since 2002 we opened 33 stores, we're in the Bay area, Los Angeles, Japan, New York, and soon Massachusetts. Initially we're opening up in DC and Miami this year.

We are driven by architecture, sustainability and a deliciousness. 40 Bow Street is going to be hopefully our very first location and we found that location and it reminds us -- it is beautiful and we love the storefront and the large windows.

We think it fits with our brand. We were really driven by it and inspired by it and to design about it.

We are using the existing concrete floor and polishing that and we're using a lot of maple and stainless steel countertops. It should be a really warm, cozy and comfortable environment for our guests to come into.

We are really focused on sustainability so all of our cups and lids, straws and bags are all compostable and we will employ a garbage company that will compost all of our waste.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY ANTHONY GALLUCCIO: Madam Chairman, can I verify, seating, I just wanted to refer back to the BZA application, we were approved for 28. So I just want to verify and we have on the plan submitted 28, 16 cafe seating and 12 bar stools.

CHAIR NICOLE MURATI FERRER: Okay, that's why I was asking.

ATTY ANTHONY GALLUCCIO: I appreciate that.

CHAIR NICOLE MURATI FERRER: So it is 28 seats?

ATTY ANTHONY GALLUCCIO: Correct.

CHAIR NICOLE MURATI FERRER: 28 total

occupancy?

ATTY ANTHONY GALLUCCIO: Yes.

Hours of operation are proposed 7 to 7.

CHAIR NICOLE MURATI FERRER: Thank you.

(Referring to Board): Any questions?

(No response.)

CHAIR NICOLE MURATI FERRER: You said that you do -- I'm sorry, I do have the floor plan but I don't have the menu here. I misspoke.

While you find that, anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would say that I would vote to grant it but pending our review of the lease and provided that it is fine and dandy.

ACTING FIRE CHIEF GERARD MAHONEY:

Agreed.

CHAIR NICOLE MURATI FERRER: Granted
pending approving, final approval once we get the
lease.

ATTY ANTHONY GALLUCCIO: Thank you, Madam
Chair and Commissioners. Thank you.

DISCIPLINARY: MSEX, LLC.

D/B/A MIDDLESEX LOUNGE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: MSEX, LLC, doing business as
Middlesex Lounge, holder of a common victualler
all alcohol license at 315 Mass Ave due to an
alleged violation of the rulings and regulations
of the board of Cambridge License Commissioners,
9.1 (c) and General Law Chapter 138, Section 23
and 64 on May 20, 2017.

CHAIR NICOLE MURATI FERRER: Let the

record show I'm recusing myself from this matter.

Thank you.

Ms. Boyer, when you guys are done, I'll be in there.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Anyone who is going to testify, please stand and raise your right hands.

(Parties sworn)

ACTING FIRE CHIEF GERARD MAHONEY: Ms. Boyer, do you want to --

ANDREA BOYER: Yes, sir.

On May 20, 2017, we were doing some random checks in the area of Cambridge, and -- I'm gonna give the names for the record. Andrea Boyer, B-O-Y-E-R. Cambridge License Commission investigator.

DENNIS LOPES: Dennis Lopes, D-E-N-N-I-S L-O-P-E-S.

CHRIS LUTES: Chris Lutes, C-H-R-I-S

L-U-T-E-S.

NATE BROWN: Nate Brown, B-R-O-W-N.

ANDREA BOYER: So we were doing checks in the area, many different areas of Cambridge and that evening we stopped at the Middlesex Lounge located at 315 Mass Ave. Henderson Headley was with us as as well. He's not here to testify and I'm testifying on his behalf along the notes.

He was inside the establishment and he did a head count and came up with 160 as the count. The allowable number in the establishment when they are having entertainment and no dining is 120.

While I was on premise, I walked in and I noticed that the number seemed high to me. I had been there a few weeks previously.

And I spoke to the doorman who oversees the capacity at the establishment, and when I exited, I asked the doorman if he was keeping

track of the capacity and he said that he was by using a clicker.

When I asked to see the clickers, they were in his coat pocket. He was not wearing a jacket and he stepped to the side and he pulled the clickers one said 127 inside and 20 out. I remember saying to them that number showed they were within capacity on dual clickers close by in his pocket and it's the oldest trick in the book. So that's my information.

ACTING FIRE CHIEF GERARD MAHONEY: And were any of you gentlemen working?

NATE BROWN: Both of us.

ACTING FIRE CHIEF GERARD MAHONEY: Do you want to tell us your version of events?

DENNIS LOPES: Yeah. We had rotated the door guy out, the other guys with the clickers. And he thought that I was keeping track of the clicker count but the other guy had been keeping

track, and when he handed it to, he hadn't -- he wasn't actively keeping track of it.

ACTING FIRE CHIEF GERARD MAHONEY: At one point you were doing it?

DENNIS LOPES: I was never doing it. The other door guy that he rotated out with.

ACTING FIRE CHIEF GERARD MAHONEY: So there were two other individuals that were doing the doorman?

NATE BROWN: No -- yeah, two guys total.

ACTING FIRE CHIEF GERARD MAHONEY: Why don't we start with names because that might make it a little simpler as opposed to "this guy" and "that guy."

NATE BROWN: I don't remember who was on the door with you.

DENNIS LOPES: I think it was Carl.

NATE BROWN: Carl and Dennis were on door. Carl -- we rotate -- first I'll say,

everything said is exactly what happened.

ACTING FIRE CHIEF GERARD MAHONEY: So you don't dispute --

NATE BROWN: We don't dispute. That's what happened. We found out what happened, the break down.

There have been a bunch of inspections. Leading up to this, this year, I feel we have done good for most of those inspections as far as capacity. I think it was a one-off thing.

The guy Dave was out for a few weeks because he was sick, and when he came back in, he came to the front of the door, he was supposed to be the guy doing the clickers and he thought Dennis was doing the clickers and so he didn't keep up with it and when he was called out on it, he was like "Yeah, yeah, I got the numbers," but he hadn't been doing it.

Now we don't rotate the clicker person.

So now the one person that sees the numbers is the same guy all night. That's how we've adapted to that.

We were doing the rotation where we have the guy by the back door, the guy in the room walking around, two guys on the front door, and every half-hour we -- everyone rotates one position, but obviously, this is where it -- it was like a communication breakdown where somebody thought the next guy was doing the numbers and just dropped the ball on it.

So at one point, the clickers were accurate, just not when you were there and all the people were there. So that's it. But, I mean, we don't dispute the numbers.

ACTING FIRE CHIEF GERARD MAHONEY: Okay.

Ms. Boyer, are you aware of any other -- is there any other history of similar infractions with this establishment in the past or the recent

past?

ANDREA BOYER: No. We've addressed them. We did a task force inspection and it was good in the way when we did address the question of whether there was someone being overserved or anything and we were able to watch them and they hadn't been at that moment.

The other situation was that, on the same evening, they did -- the extra people that were there, they did work to get them out and also move some items around to be able to accommodate, so people left. So not anything at this time.

ACTING FIRE CHIEF GERARD MAHONEY: Did the staff of the establishment cooperate with you that night?

ANDREA BOYER: Yes, they did.

And in the other situation that we were there previously and was not able to be discussed because --.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Other than the rotation, have you taken any other measures to prevent a recurrence of this type of issue?

NATE BROWN: I think we were pretty good leading up to that. We had seen Henderson and Benny and Andrea come through many times and we have done pretty good. So it feels like this was what happened. I don't know if there's any other -- we also have like multiple counters so most of the guys inside also have a count. If there's a dispute, they can bring it to me and we'll be like "All right, somebody messed up the count."

So now we have multiple eyes on it. Except the guy in the front, outside, he's got -- it's supposed to be the accurate number and the guys inside are kind of, they'll count it if they get like a vibe, like if it seems light or it

seems heavy, they will go through and click to see where we're at just to see if there's a dispute.

ACTING FIRE CHIEF GERARD MAHONEY: Which of you gentlemen is the manager of record?

CHRIS LUTES: I'm the manager of record.

ACTING FIRE CHIEF GERARD MAHONEY: Were you there that evening?

CHRIS LUTES: I was not there that evening. And the only thing I would add is we work very hard to run a safe establishment.

We have a good relationship with the city and the police, and the fact that we were rotating was an effort to be better at our jobs, to keep fresh, not keep them out in the cold too long in the winter.

That's a couple of good reasons behind it, and sadly, it led to this mistake and we are painfully aware of the mistake we made and look

forward to the next inspection.

ACTING FIRE CHIEF GERARD MAHONEY:

Anything else, Commissioner?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

I am prepared -- since there's no dispute about the fact that you were overcrowded, that I would propose that we get a letter of --

ANDREA BOYER: Should you ask the public comment?

EXECUTIVE DIRECTOR ELIZABETH LINT: Not on this.

ANDREA BOYER: I'm making sure -- I want to make sure if anybody was here that was also at the event.

ACTING FIRE CHIEF GERARD MAHONEY: Is there anybody here that wishes to speak about this matter?

(No response.)

ANDREA BOYER: But I was more specific to the police officer that was there but he didn't have anything to add, so that's moot. Sorry.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Okay. I should ask how long have you been in business?

NATE BROWN: 17 years.

CHRIS LUTES: 17 years.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No prior violations?

CHRIS LUTES: No. Well, not for overcrowding.

We have been in here before because, like, a fight that took place in the street, for example, I don't know when that was, and there was a security issue where someone tried to vandalize the next door establishment and Dennis went to stop him and it resulted in a fight and biting, and anyway, we have been in here for

things like that.

It is the reason why we have five people on rotation and we do everything we can to run a safe place.

ACTING FIRE CHIEF GERARD MAHONEY: Okay.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Suggestions?

ACTING FIRE CHIEF GERARD MAHONEY:

Receive a letter, the letter be placed in the file.

EXECUTIVE DIRECTOR ELIZABETH LINT: Find a violation.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: We do find a violation. There's no dispute of the violation.

Give him a letter of reprimand to be held in the file and if there be anymore recurrences similar to this within a one-year period, that we would use that as a platform to look at any

further violations. Now I'm not talking about -- overcrowding, it's simply a lot different than overserving. I'm talking about similar violations. .

ACTING FIRE CHIEF GERARD MAHONEY: Thank you.

ACTING FIRE CHIEF GERARD MAHONEY: Do you have any questions of us?

CHRIS LUTES: No.

NATE BROWN: No.

CANCELLATION: JFS GROUP, LLC.

D/B/A FIRE & ICE

EXECUTIVE DIRECTOR ELIZABETH LINT: JFS Group, LLC, doing business as Fire & Ice, holder of a common victualler all alcohol license linked to 50 Church Street pursuant to Mass. General Laws Chapter 138, Section 77 for nonuse of license.

ATTY JAMES RAFFERTY: My client is expected.

It is a request to extend the inactive status and I'm familiar with the situation and I was going to share that information with the Commission, but if you prefer that we wait for the manager of the license, I'm happy to.

CHAIR NICOLE MURATI FERRER: I'm happy to hear -- last time we were here was in October 2016 where we had the informational hearing and your client said that they were seeking a buyer. I was wondering where we are at.

ATTY JAMES RAFFERTY: Right. For the record, James Rafferty appearing on behalf of the licensee.

So the holder of the license is working in cooperation with the landlord to identify a buyer.

The premise itself has had an alcohol

license for decades. Fire & Ice, this concept, a Mongolian grill, was the successor to a -- it was a brewpub known as Brew Moon and it was there for many, many years.

It is a significantly sized space so finding a tenant, finding a tenant that has the capacity financially to operate in that location.

There is a broker. The broker is listing the space and the license simultaneously. The landlord has made some improvements, if you will, or he has actually removed a number of elements of the space that were associated with the Fire & Ice operation.

So the licensee remains in control of the premises through an agreement with the landlord and is working cooperatively with the landlord in an effort to identify a successor and file a transfer application.

That's an active ongoing process and if

one were to look at the space today, you would see all types of marketing information around leasing the space and acquiring the license.

As I said, the license, this particular license at that location, probably for more than 30 years, and it is a significantly sized capacity license. I think it is somewhere around 300 plus patrons.

So there's a lot of vetting of potential -- there's a high level of interest, I know, but there's some vetting on the part of the landlord.

In this case, the likely successor here, the license to transfer, will be acting pursuant to an assignment of the existing lease. The lessee remains with certain obligations under the lease that would have to be addressed, but it is a highly cooperative relationship with landlord and licensee.

There's no attempt to move the license in order to accommodate a different tenant.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I have no questions.

ACTING FIRE CHIEF GERARD MAHONEY: No.

CHAIR NICOLE MURATI FERRER: I think, considering, since this is the first cancellation hearing and the process your client is going through and what you explained to us, I would say a cancellation hearing in six months.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I concur with the caveat that six months would be the only amount I would vote on.

I don't want to go past the six-month extension, if possible. I understand the circumstances. It is easy for me to say, really hard for you to do.

ATTY JAMES RAFFERTY: I understand. I

think six months is a reasonable opportunity.

I would just ask that the Commission to remain open to whatever circumstances might present themselves in six months.

No one would be happier than the licensee and the landlord than to be here well before the six-month period of time. But at any rate --

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: My comment is duly noted and I would concur.

ATTY JAMES RAFFERTY: I understand. I would impress upon all parties the fact that there's an urgency to find a successor.

I will convey that message.

CHAIR NICOLE MURATI FERRER: Thank you.

Cancellation hearing in six months.

VIOLATION: LANDSCAPE COLLABORATIVE OF NE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation hearing, Landscape Collaborative of New England, holder of a leaf blower permit 10039, due to an alleged violation of the Cambridge Municipal Code 8.16.081.2(f) on May 12, 2017 at 21 Linnaean Street.

CHAIR NICOLE MURATI FERRER: If you could please stand up?

And you've already got sworn in.

(Party sworn)

CHAIR NICOLE MURATI FERRER: Good afternoon. Please state and spell your names for the record.

SIMBAD SANCHEZ: Good afternoon. My name is Simbad Sanchez S-I-M-B-A-D S-A-N-C-H-E-Z.

ANDREA BOYER: Andrea Boyer, B-O-Y-E-R.

Investigator for the Cambridge License
Commission.

CHAIR NICOLE MURATI FERRER: Go ahead,
Ms. Boyer.

ANDREA BOYER: So we're here because of
the allegations that on May 12, 2017 at 2:45
p.m., the employees of Landscape Collaborative
were using multiple leaf blowers, less than
10,000 square feet at 21 Linnaean Street in
violation of 8.16.081.2(f).

CHAIR NICOLE MURATI FERRER: Mr. Sanchez?

SIMBAD SANCHEZ: Yes, with all due
respect, it was the first time doing the job, the
place was a mess, and we understand using those
blowers, it is not right. So because this is a
historic place, we wanted to make it presentable
for the people of Cambridge.

It was a disaster, it was messy, it was
full of leaves, so my guys -- the place is bigger

than 10,000 square feet, that shows in here, and my guys were working there and they were cleaning up the place because we wanted to make it look nice and neat for the people of Cambridge, for visitors, because it is a historic place..

CHAIR NICOLE MURATI FERRER: And that sounds great, but you know, quite frankly, you have been permitted under this ordinance for a while now.

You have gotten several violations of the ordinance. I think your company is well aware of everything.

You received the rules and regulations to provide to your employees in multiple languages, and yes, I get that this is a historical property, but so is a lot of places in Cambridge and there's no need to violate the ordinance.

SIMBAD SANCHEZ: When we were working there, we were working on the -- it happened on

May 12 and I know it says here from June 15 to September 15 and then from September 15 to December 31, so it was just -- we were doing our job.

It was the first job there. We never worked at that place before, so we want to make -- we're sorry for causing any problems or troubles. We are aware that we're not gonna be using those blowers until further notice.

CHAIR NICOLE MURATI FERRER: Well, the problem wasn't that you used the blowers on May 12.

The problem was that you used four blowers less than 10,000 feet apart. And in the ordinance it says in parcels smaller than 10,000 square feet, you can only use one blower, and if the parcel is larger than that then the blowers have to -- then they can't be used side by side.

Here you were using four side-by-side

blowers. That's a clear violation. It has nothing to do with the day you used them.

SIMBAD SANCHEZ: I understand. Sorry for that.

CHAIR NICOLE MURATI FERRER: I would vote to issue a violation and a fine of \$300.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I concur.

ACTING FIRE CHIEF GERARD MAHONEY: I agree.

CHAIR NICOLE MURATI FERRER: You will receive a statement of reasons.

Thank you.

VIOLATION: BUCKINGHAM BROWN & NICHOLS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Buckingham Brown & Nichols, holder of a leaf blower permit 10030 due to an alleged violation of Cambridge Municipal Code

8.16.081.2(b) on May 18 and 19, 2017 at approximately 7:10 a.m. at 78-80 Sparks Street.

CHAIR NICOLE MURATI FERRER: So a few minutes before the hearing, we received the waiver of hearing admitting to the violations. So I would vote to issue a fine of \$300 per violation.

ACTING POLICE COMMISSIONER BRENT LARRABEE: Concur.

ACTING FIRE CHIEF GERARD MAHONEY: Concur.

CHAIR NICOLE MURATI FERRER: Can you call Officer Szeto's matter, please?

APPEAL: ROSE OSCAR

EXECUTIVE DIRECTOR ELIZABETH LINT: Appeal matter: Rose Oscar due to the nonrenewal status of Hackney driver's license 29065.

CHAIR NICOLE MURATI FERRER: Ms. Rose?

EXECUTIVE DIRECTOR ELIZABETH LINT: Raise your right hands, please.

(Parties sworn)

CHAIR NICOLE MURATI FERRER: Good afternoon. Please state and spell your names for the record.

OFFICER BENNY SZETO: Benny Szeto
S-Z-E-T-O, Cambridge PD.

ROSE OSCAR: Rose Oscar, R-O-S-E
O-S-C-A-R.

CHAIR NICOLE MURATI FERRER: Thank you.
Officer Szeto?

ANDREA BOYER: Rose Marie Oscar was
denied renewal of Hackney license.

Oscar was found responsible for seven
moving violations within the last four years on
her driving history.

The breakdown is as follows. Two
violations in 2013 for failure to stop at minor

traffic.

Two violations in 2014 for lane violation and failure to use safety.

And two violations in 2005 both for failure to stop.

And one violation in 2016 for lane violation.

Oscar is a medallion owner and only driver for the medallion. She's unable to find any drivers, therefore, I recommend Oscar be approved a one-year probationary license.

CHAIR NICOLE MURATI FERRER: Ms. Oscar, why should we renew your license?

YVES CHARLES: She just bought the medallion and she's -- and she's in search for a driver. And it is nearly impossible to find a driver, and she would like to keep her license and be able to drive.

CHAIR NICOLE MURATI FERRER: Officer

Szeto, how long has Ms. Oscar been licensed here in Cambridge?

OFFICER BENNY SZETO: I don't have --

EXECUTIVE DIRECTOR ELIZABETH LINT: It should say it right in the front.

CHAIR NICOLE MURATI FERRER: It doesn't. It has when it expires.

YVES CHARLES: She thinks it might have been in 2005.

OFFICER BENNY SZETO: That's when she took the test.

CHAIR NICOLE MURATI FERRER: She took it in 2003.

ACTING POLICE COMMISSIONER BRENT LARRABEE: I accept the recommendation from Officer Szeto.

ACTING FIRE CHIEF GERARD MAHONEY: I concur.

CHAIR NICOLE MURATI FERRER: Okay.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Does she understand what we voted?

YVES CHARLES: Yes.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Your license will be renewed and you have a one-year period, which we call a probationary period, which you have to remain infraction or violation free.

YVES CHARLES: She understands that.

CHAIR NICOLE MURATI FERRER: Let the record show that would be a two/one vote. My vote would be different.

My vote would be that her license be renewed to the extent that she could continue keeping her medallion since our ordinance requires medallion owners to be licensed but I would not allow her to drive the vehicle.

But it is two to one, so your license is renewed for a one-year probationary period as the

Commissioner has explained.

APPLICATION: MOMI NONMI, LLC

D/B/A MOMI NONMI.

EXECUTIVE DIRECTOR ELIZABETH LINT: Momi Nonmi, LLC, doing business as Nonmi has applied for a new common victualler all alcohol license at 1128 Cambridge Street. Christopher Chung as proposed manager of record of a premise described as 1,194 square feet first floor dining area, kitchen and restroom, front and rear exits, basement has office and storage.

Application for an entertainment license has also been made to include, audio tape machine, CD, computerized media playing music at conversation level.

ACTING FIRE CHIEF GERARD MAHONEY: Sir, you either have to come in the room or step outside, you can't block the exit.

CHAIR NICOLE MURATI FERRER: There's a chair right there if you want to take it.

Please state and spell your names for the record.

ATTY JAMES RAFFERTY: Good afternoon, Madam Chair and Commissioners. For the record James Rafferty with an address of 675 Mass Ave, appearing this afternoon on behalf of the applicant. Momi & Company, LLC.

At my far right is Ms. Elane Wong W-O-N-G. Ms. Wong is the manager of the LLC and the sole member, thus she'll have the ownership interest in the business and the license being applied for.

Seated to my immediate right is Christopher Chung, C-H-U-N-G. And Mr. Chung is the proposed manager of licensed establishment.

CHAIR NICOLE MURATI FERRER: Thank you.

Counsel, before you go into your presentation, I have a few questions.

ATTY JAMES RAFFERTY: Uh-huh.

CHAIR NICOLE MURATI FERRER: Mr. Chung, I realize that everything says that Ms. Wong is the only beneficial interest but Mr. Chung is identified as a guarantor on the lease.

Can you explain that relationship to me?

ATTY JAMES RAFFERTY: The relationship of a guarantor to a lease?

CHAIR NICOLE MURATI FERRER: Yeah. I mean, he's also a guarantor to the lease. How does he not have an interest in the license? I'm just wondering.

ATTY JAMES RAFFERTY: Just the way it is structured. There is a relationship between Mr. Chung and Ms. Wong. He's not Wong's employee.

CHAIR NICOLE MURATI FERRER: Well, it is

just odd to have an employee be a guarantor on a lease for a business for which he has no financial interest.

ATTY JAMES RAFFERTY: Right. No, I recognize that.

I think the lease involves an assignment of an existing lease, a second assignment, frankly.

But Mr. Chung has assets that allow him to serve as the guarantor under the lease.

He does have a relationship to Ms. Wong. Correct?

CHRISTOPHER CHUNG: Yes, that's my wife.

ATTY JAMES RAFFERTY: They are married.

CHAIR NICOLE MURATI FERRER: So congratulations.

I only flag it because as I'm reading through this, it seems very odd to me, and if I flag it, I'm sure the investigator for the ABCC

will flag it.

ATTY JAMES RAFFERTY: It probably has something to do with the larger relationship between the two of them rather than the business relationship.

So Mr. Chung is guarantying the payments from the LLC of which he does not have a financial interest, you are correct.

CHAIR NICOLE MURATI FERRER: I just think -- quite frankly, I think, so that there are no hiccups in terms of the review, if we do approve, the one thing that's probably missing is Mr. Chung's personal information form and I don't see why he's the manager and he's involved with all other aspects why you wouldn't submit it.

ATTY JAMES RAFFERTY: I'm happy to do so. He submitted the manager --

CHAIR NICOLE MURATI FERRER: He submitted the CORI and the manager application.

ATTY JAMES RAFFERTY: Right, exactly.

CHAIR NICOLE MURATI FERRER: In terms of the review of -- the larger review and the ABCC, I would recommend submitting the beneficial interest as well. I mean, he does have an indirect interest in this, I would argue, so --

ATTY JAMES RAFFERTY: I'm not desiring an argument, so if your definition of "indirect" is just a guarantor under the lease, okay, I can see the theory behind that.

CHAIR NICOLE MURATI FERRER: I think if you read the lease and if the LLC doesn't make the payments and Mr. Chung is on it, I think that that's actually an indirect beneficial interest.

ATTY JAMES RAFFERTY: That's why I say, I'm happy to comply with the personal injury form -- personal information form.

CHAIR NICOLE MURATI FERRER: My other thing is: Ms. Wong, are you a Massachusetts

resident?

ELAINE WONG: No. I currently live in LA.

CHAIR NICOLE MURATI FERRER: Okay. All right. Because I didn't get that either because I had everything with an address here but then you've marked "no." So just, I want the information. Okay.

ATTY JAMES RAFFERTY: But Mr. Chung is.

CHAIR NICOLE MURATI FERRER: Now you can start your presentation. Thank you.

ATTY JAMES RAFFERTY: No. Thank you.

Happy to address that.

So this location at 1128 Cambridge Street had several licenses in the last few years.

Most recently, it operated as a business known as Wu Burger, W-U, Burger, and it was just a common victualler license and I don't think they lasted more than a few months at that

location.

Prior to that, it was the location for Northy b Northeast, a restaurant that did have an alcoholic beverages license at that location and operated for several years.

The operator there, the chef, moved on to a new restaurant in Boston called Bayan. So actually surrounded the license. He had a so-called no value license issued to him and there was no transfer involved there and the successor didn't seek a license.

In this location, what is being proposed here, is a Japanese restaurant with a somewhat unique element within Japanese cuisine.

This would be known as an Izakaya-style restaurant, which is a Japanese version of tapas. It is a small place.

It is a different type of cuisine and both Mr. Chung and Ms. Wong have some experience

in working this type of tapas.

It also has the distinction of between gluten-free Izakaya, which you can find good Izakaya but you can't find gluten-free Izakaya in many locations. So, obviously, we are expecting a large demand from the gluten-free community that would be looking at this location.

It is a small restaurant. It is proposed to have lunch and dinner. It opens, the application says noontime I was going to ask the Commission to consider an 11 a.m. opening notwithstanding the advertisement because as I explained to the operators, it struck me that you could see a luncheon patron arrive at 11:45 or 11:30 and why would you want to cut it that close and have a noontime opening.

So we would seek the Commission's request to amend this application to have an opening time of 11 a.m. as opposed to noontime.

The closing times you will see are someone modest. On Sunday evenings it is 9:00. Most other nights at 10:00. On Friday and Saturday it is proposed as a 1:00 a.m. license.

It is very much a dining establishment.

The alcohol being sought here is to satisfy a public need that is associated with this type of cuisine. Very popular Japanese wines, sake-style wines are served with this Izakaya cuisine.

It is also very popular to have Japanese whiskey I'm informed here.

CHAIR NICOLE MURATI FERRER: What is the name of that one? Soco (sic)?

ATTY JAMES RAFFERTY: Hibiki? The whiskey?

CHAIR NICOLE MURATI FERRER: The one that starts with an S.

ATTY JAMES RAFFERTY: Soju. S-H-O-J-U

(sic). Soju.

You should be commended, Madam Chair, for your command of such international matters in spirits.

I only learned of it recently and I had to write it down phonetically, but I think it's an "O" at the end, if this going to be reviewed by higher authority, you might want to get some accuracy.

But the Hibiki whiskey I was intrigued to learn is popular. It is served in small containers and Izakaya promotes a certain style of comradery and friendship. Almost akin to Japanese happy hour, although we know in Massachusetts we don't use that term anymore.

CHAIR NICOLE MURATI FERRER: We have food happy hours, not liquor happy hours.

ATTY JAMES RAFFERTY: I keep forgetting that, you can be happy with only food, yes, and

so in this case Izakaya (sic) is seeking to have an an alcohol beverage license at this location.

We have demonstrated or provided some letters of support from area businesses. Also the local business association, I believe, sent a communication in support and the local City Councillor, Councillor Toomey, from East Cambridge has also sent a letter in support.

As I said, public need has been served at this location in the North by Northeast restaurant for years. We are requesting the issuance of a license.

CHAIR NICOLE MURATI FERRER: Am I right that this would be the first of this type of cuisine in Cambridge?

ATTY JAMES RAFFERTY: I'm -- (coughing)

CHAIR NICOLE MURATI FERRER: The style?
Are you okay?

ATTY JAMES RAFFERTY: I'm told that Ms.

Chang at Pagu has a form of Izakaya but it is loaded with gluten.

CHAIR NICOLE MURATI FERRER: Okay. Let me confirm something here.

So we're amending or you are requesting to amend the opening hours, seven days a week to 11 a.m.?

ATTY JAMES RAFFERTY: Correct.

CHAIR NICOLE MURATI FERRER: I know you said you were only seeking Friday and Saturday to 1 a.m. but you also have on the application Thursday with a 1 a.m.

Thursday, Friday and Saturday with a 1 a.m.?

ATTY JAMES RAFFERTY: Thank you. That would be a misstatement by counsel.

CHAIR NICOLE MURATI FERRER: And 9 p.m. on Sundays closing hour and then Monday through Wednesday 10 p.m.

And just as a matter of clarification for the record, the predecessor did have an all alcohol license here, it was a nontransferable license, so when it expired this year, it did -- it doesn't exist anymore.

There's currently no license attached to it because it wasn't renewed anyways.

We do have a letter from Oleana, Puritan & Company, the East Cambridge Association, Councillor Toomey as well.

And Mr. Chung, you have been the manager of record on a liquor license before.

CHRISTOPHER CHUNG: Yes. I used to have a restaurant in Lincoln, Massachusetts.

ATTY JAMES RAFFERTY: He had an ownership interest in that as well.

CHAIR NICOLE MURATI FERRER: And no disciplinary issues with the local board or the ABCC?

CHRISTOPHER CHUNG: No violation.

ATTY JAMES RAFFERTY: Just graduated.

CHAIR NICOLE MURATI FERRER: You have
your TIPS certification.

CHRISTOPHER CHUNG: I did it.

CHAIR NICOLE MURATI FERRER: Thank you.

And are you up to date with the rules and
regulations of this board and the laws in the
Commonwealth with regard to the sale and service
of alcohol?

CHRISTOPHER CHUNG: Yes.

CHAIR NICOLE MURATI FERRER: And do you
understand that we expect you to stay up to date
with those rules and regulations?

CHRISTOPHER CHUNG: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US
citizen?

CHRISTOPHER CHUNG: Yes.

ACTING FIRE CHIEF GERARD MAHONEY: No

questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would -- just to confirm the occupancy here, is a proposed seating of 25 with a total occupancy of 40.

ATTY JAMES RAFFERTY: Yes.

CHAIR NICOLE MURATI FERRER: Based on that, I would vote to grant this application as amended during this hearing.

ACTING POLICE COMMISSIONER BRENT LARRABEE: I concur.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY JAMES RAFFERTY: That's a motion and approved?

CHAIR NICOLE MURATI FERRER: Yes.

Granted.

And then, Mr. Rafferty, before we send this up, I would just recommend that you send that --

ATTY JAMES RAFFERTY: I will have Mr. Chung go over to my office and we'll complete that and send it over.

It was a very helpful suggestion. I didn't know if we should disclose his marital status. It might help explain their relationship. Have a good day.

CHAIR NICOLE MURATI FERRER: Thank you.

APPLICATION: JMR RESTAURANT, INC..

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Transfer of all alcohol beverages license from JMR Restaurant, Inc to DMG Food Enterprises, LLC, doing business as 730 Tavern

Kitchen and Patio at 730 Mass Ave.

Deneir Rosa as proposed manager of record of a premise described as first floor with four dining rooms, kitchen, two bars, bathroom, basement for storage, front entrance on Mass Ave with rear entrance on Green Street.

Approximately 325-square-foot patio with ten tables and seating for 30.

Application for an entertainment license has also been made to include DJ, seven TVs, audio tape machine, CD, computerized media playing music below, at or above conversation level.

CHAIR NICOLE MURATI FERRER: Good afternoon. Could you please state and spell your names for the record.

ATTY ANDREW UPTON: Good afternoon, Madam Chair and Commissioner, Chief. Andrew Upton U-P-T-O-N for the applicant.

With me is Deneir Rosa, D-E-N-I-E-R
R-O-S-A, proposed manager of record. And
Davidson Bettero D-A-V-I-D-S-O-N B-E-T-T-E-R-O,
chef and part owner.

CHAIR NICOLE MURATI FERRER: Thank you.

Mr. Upton, Mr. Battero's last name is
misspelled throughout the application.

I would just suggest changing that. It
is spelled B-O instead of B-E.

DAVIDSON BETTERO: B-E.

CHAIR NICOLE MURATI FERRER: I know
because I saw your passport. That's how I
flagged it. But you know how difficult it is to
change stuff after it goes up.

ATTY ANDREW UPTON: Thank you. We'll do
that.

CHAIR NICOLE MURATI FERRER: I do have a
question.

Mr. Figurito, I know he's not here, but

is he a Massachusetts resident? The question is not answered on the application.

ATTY ANDREW UPTON: Yes, he is. He is here.

CHAIR NICOLE MURATI FERRER: Oh, can you come up here and fill in the "yes." It is right there, it asks if you are a Massachusetts resident.

(Mr. Figurito complying.)

CHAIR NICOLE MURATI FERRER: And then who is Cynthia Bettero?

DAVIDSON BETTERO: My wife.

CHAIR NICOLE MURATI FERRER: Does she have any financial interest on this license?

DAVIDSON BETTERO: Only through mine.

CHAIR NICOLE MURATI FERRER: Because the financials I have are for Cynthia Bettero.

DAVIDSON BETTERO: That's a joint account.

CHAIR NICOLE MURATI FERRER: So it might be a joint account but Mr. Bettero's information isn't in it. Like, his name does not appear.

So I would just suggest submitting an affidavit along with that because, you know, that's going to be flagged and it will slow the process down if we approve and it goes up to the ABCC.

And then the lease. Do we have a lease? Because I know this is an assignment of an assignment, but the one that I have only goes to 2015 and I don't even have the assignment from -- the original to JMR, who is now transferring to you.

ATTY ANDREW UPTON: We do have it and I will be glad to submit it.

CHAIR NICOLE MURATI FERRER: Just so we're clear, I know it wasn't clear on our agenda, but the hours -- the proposed hours of

operation, I have 8 a.m. to 1 a.m. Monday through Wednesday.

8 a.m. to 2 a.m., Thursday through Saturday.

And 11 a.m. to 1 a.m. on Sunday.

However, the CV application says you are not going to be serving breakfast. I am wondering why the 8 a.m. opening hour.

ATTY ANDREW UPTON: We would like to serve breakfast Saturday and Sunday but not during the week.

CHAIR NICOLE MURATI FERRER: Why don't I give that back to you and you guys can amend that. And then on the entertainment application as well.

ATTY ANDREW UPTON: I'm informed that we prefer to be at 10 a.m. on Sunday for brunch.

CHAIR NICOLE MURATI FERRER: Make the changes and then we'll go forward.

I just wanted to clean it up a little bit before we start hearing and then start moving around the pieces.

Thank you.

And then my final question: The patio is on public property is that right?

ATTY ANDREW UPTON: Yes.

CHAIR NICOLE MURATI FERRER: Do you intend to sell alcohol on the patio.

ATTY ANDREW UPTON: Yes.

CHAIR NICOLE MURATI FERRER: Have you started any processes through the DPW or anything with regard to that?

ATTY ANDREW UPTON: We have not.

CHAIR NICOLE MURATI FERRER: Okay.

And then the entertainment, I have one more question, I'm sorry, the entertainment, you have patrons -- you have DJ but not patrons dancing, so are you not going to have an area for

the patrons to dance?

DAVIDSON BETTERO: No.

CHAIR NICOLE MURATI FERRER: Okay.

Then I'll need, Counselor, which you can supply when you send the lease to us, on the floor plan, we need to know exactly where the DJ will be stationed.

Then the music, are you going to have music outside?

DAVIDSON BETTERO: No.

CHAIR NICOLE MURATI FERRER: Okay.

DENEIR ROSA: I don't think you can have music outside, is that right?

CHAIR NICOLE MURATI FERRER: It gets tricky. It has happened, it has happened, it can be permitted and it is tricky and there are a lot of considerations but you said music below, at and then above, I just wanted to make sure that when we're outside, the music is not going to be

above conversational level.

And if it was, then, you know, we obviously have a longer thing to talk about in terms of that.

Okay, you can start, Counselor.

I'm sorry.

ATTY ANDREW UPTON: That's all right.

Thank you very much.

This is an application to transfer the license and transfer the business from Tavern on the Square (sic).

Tavern on the Square (sic) has been there over a dozen years or so. It is a popular location, but the owners have decided to sell to focus on their other restaurants and real estate holdings.

And Mr. Bettero was the opening chef of Tavern on the Square back when it started, so he and Mr. Figurito and Mr. Rosa see this as an

opportunity to -- for Figurito and Bettero to become owners of their own place.

For Mr. Rosa, who is already involved in a couple, to expand his restaurant experience.

Mr. Bettero has told me that he has several impressive ideas for improving the quality of the food. Not to demean the quality in any way, but he feels that a scratch kitchen, fresher ingredients, updated beers and wine would make a more desirable, more interesting place to eat and drink.

And if you don't mind, he wants to say a little bit that.

CHAIR NICOLE MURATI FERRER: Sure.

DAVIDSON BETTERO: Been in the restaurant business for 19 years.

Currently I work for the Cronin Group at the Seaport location, and exactly what we saw in that location when it was first presented to us

is an opportunity to freshen up and make everything from scratch and try to retain what they used to have over there, which is --

CHAIR NICOLE MURATI FERRER: So it will be more or less the same concept but better?

DAVIDSON BETTERO: Yeah, it's an updated sports bar.

CHAIR NICOLE MURATI FERRER: In your opinion.

ATTY ANDREW UPTON: We actually have a menu for breakfast, dinner and kids' menu all of which have been designed by Mr. Bettero and the team.

So since it is a transfer, we believe, of public need has been established for alcohol at this location. They have been serving liquor there for over a dozen years.

We have corresponded with the Central Square Business Association, and I would like to

submit a letter of support from them indicating that they approve of this applicant and this concept.

There will be -- at the beginning there will be no changes inside. No changes to the furniture, no changes to the layout. Obviously, the menu will change and the logo will change a bit.

But other than that, should the Commission grant the license, and the ABCC approve, when this opens, they will probably come in on a Friday and reopen in a week -- come in on Friday and reopen Monday.

DAVIDSON BETTERO: We plan on doing more consistent -- more bigger renovations before the World Cup of Soccer next year. Just want to get in and get ahold of the place before we do something bigger.

ATTY ANDREW UPTON: Mr. Rosa is an

investor and he's also going to be the manager of record.

He's currently the manager of record at La Gran Manzana in East Boston. And he's also involved with Oliveira's Steakhouse in Somerville.

He has already filed to remove himself as the manager of La Gran Manzana, so if he be approved, this will be his one and only focus as manager.

He has a good record. He's TIPS trained. And these two gentlemen and Mr. Figurito are self-financing this.

This is their dream to open and operate their own restaurant. They are putting up their savings and they are looking forward to it and glad to answer any questions you may have.

CHAIR NICOLE MURATI FERRER: Mr. Rosa, have you had any issues as the manager of record

with the local board or the ABCC.

DENEIR ROSA: No.

CHAIR NICOLE MURATI FERRER: Are you up to date with the rules and regulations of this board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol?

DENEIR ROSA: Yes.

CHAIR NICOLE MURATI FERRER: Do you understand that we expect you to stay up to date with those rules, laws and regulations.

DENEIR ROSA: Yes.

ATTY ANDREW UPTON: If I may, I will say that La Gran Manzana did have a violation in Boston. Been to the hearing. It was established by counsel that there really was no blame attributable to the licensee. The Commission has not ruled yet, so I'm not guarantying that, but I just want to be upfront about that.

CHAIR NICOLE MURATI FERRER: Thank you,
Counselor.

Then I see here, when you made the
amendment, just so that we're clear, 10 a.m.
opening hour on Sunday, 1 a.m. closing.

Then Monday and through Wednesday, 11
a.m. to 1 a.m.

DENEIR ROSA: That's correct.

CHAIR NICOLE MURATI FERRER: Thursday and
Friday, 11 a.m. to 2 a.m.

DENEIR ROSA: And Saturday.

CHAIR NICOLE MURATI FERRER: 11 a.m. on
Saturday as well?

DENEIR ROSA: Yes. 11 to 2.

CHAIR NICOLE MURATI FERRER: Make the
change for Saturday, so I will give Saturday back
to you.

But other than that -- it is also on the
CV. Just --

DENEIR ROSA: Just keeping the existing hours they had. Nothing changed.

CHAIR NICOLE MURATI FERRER: Then, Counselor, I know the ABCC recommended putting the capacity of the patio on the premises description but considering the -- in Cambridge service of alcohol on patios has to go through the City Council and City Manager and all that contract stuff. I would like to amend the description to say "approximately 325 square feet patio on public property" and then we can add the amount that DPW approves as a condition on the license.

ATTY ANDREW UPTON: After ABCC approval and prior to when you issue it?

CHAIR NICOLE MURATI FERRER: Yes.

ATTY ANDREW UPTON: That's fine with us.

CHAIR NICOLE MURATI FERRER: Questions?

ACTING FIRE CHIEF GERARD MAHONEY: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would vote to grant as amended during the hearing.

ACTING POLICE COMMISSIONER BRENT LARRABEE: Concur.

ACTING FIRE CHIEF GERARD MAHONEY: I agree.

CHAIR NICOLE MURATI FERRER: Granted.

APPLICATION: ABBEY CAMBRIDGE, LLC

D/B/A THE ABBEY

EXECUTIVE DIRECTOR ELIZABETH LINT: Abbey Cambridge, LLC, doing business as The Abbey, holder of a common victualler all alcohol license

at 1755 Mass Ave has applied for a change of hours to 11 a.m. to 2 a.m., Monday through Friday, and 10 a.m. to 2 a.m. Saturday and Sunday.

They currently close at 1 a.m., Sunday through Wednesday.

CHAIR NICOLE MURATI FERRER: Good afternoon. Could you please state your name for the record.

DEAN TAORMINA: My name is Dean Taormina, D-E-A-N T-A-O-R-M-I-N-A.

CHAIR NICOLE MURATI FERRER: Thank you Mr. Taormina.

So you want to open at 10 a.m. on Sunday, which is an hour earlier than what you have now? Yes?

DEAN TAORMINA: I don't believe that's true. Is that what I had written there?

We didn't want to change it. It was more

in the evening.

CHAIR NICOLE MURATI FERRER: Yes. And I assumed that but since I have multiple different stuff here that's why I'm asking.

So the application says 11 a.m. to 2 a.m. Monday, Tuesday, Wednesday, Thursday, Friday and Saturday and Sunday.

DEAN TAORMINA: Yes.

CHAIR NICOLE MURATI FERRER: No. I'm sorry. Strike that.

11 a.m. to 2, a.m., Monday through Friday. 10 a.m. to 2 a.m. Saturday and Sunday.

DEAN TAORMINA: That was a mistake.

CHAIR NICOLE MURATI FERRER: Okay. So what are you asking for?

DEAN TAORMINA: Just the extension from 1 a.m. closing time on Sunday, Monday, Tuesday and Wednesday, the way it is currently, to 2 a.m., 11 a.m. to 2 a.m., the whole.

CHAIR NICOLE MURATI FERRER: Okay, what is the public need for those hours.

DEAN TAORMINA: Our little part of Cambridge, there on Mass Ave, I think, is kind of up and coming, right in between Porter and Harvard Square, a lot of restaurants and a lot of restaurant workers, and I think that after they get off from work, they are looking for a place for them to eat.

Since we are serving our full menu from 1:30, Thursday, Friday, and Saturday, we do have a significant amount of business during those hours, and I think we will serve the community if we did it the whole week.

CHAIR NICOLE MURATI FERRER: So you plan to keep your kitchen open until 1:30?

DEAN TAORMINA: 1:30.

CHAIR NICOLE MURATI FERRER: Seven days a week?

DEAN TAORMINA: Yes. We had the same model in Brookline that has been successful for eight years now. It takes time, but that amount -- it is only an hour, but a little bit of extra business per month really helps out and then by word of mouth, it works out great.

CHAIR NICOLE MURATI FERRER: Questions?

ACTING POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would vote to grant 11 a.m. to 2 a.m., seven days a week.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have the notice that went to the abutters.

CHAIR NICOLE MURATI FERRER: Thank you.

And if you wait and really want to start, you can go upstairs to get that. You can still go upstairs and give it to the staff.

APPLICATION: SUMIAO XIANG RESTAURANT, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, Sumiao Xiang restaurant, LLC, doing business as Sumiao Hunan Kitchen, Jungle Wang, manager, holder of a common victualler all alcohol license and entertainment license at 270 Third Street has applied to amend the existing entertainment license to include live music with and without amplification.

CHAIR NICOLE MURATI FERRER: Good afternoon. Please state and spell your names for the record.

ATTY WEI JIA: Good afternoon.

My is Wei Jia, W-E-I J-I-A, counsel for

Sumiao Xiang Restaurant, LLC.

And to my immediate left is Sumiao Chen,
manager of the LLC. S-U-M-I-A-O C-H-E-N

PAUL LAMPREY: Paul Lamprey, P-A-U-L
L-A-M-P-R-E-Y.

KIP HARRIS: Kip Harris, K-I-P
H-A-R-R-I-S.

ATTY WEI JIA: And Jungle Wang, manager
for the --

THE REPORTER: I'm sorry, can you say it
again?

ATTY WEI JIA: J-U-N-L-E (sic) W-A-N-G.

What we have before the Board is the
amendment application for the entertainment
license. We want to add live entertainment.
Basically it's gonna be a jazz band with a singer
and sometime, occasionally, we gonna add karaoke
entertainment, add onto the existing
entertainment license.

CHAIR NICOLE MURATI FERRER: And this -- is this going to be seven days a week.

ATTY WEI JIA: It's not gonna be seven days a week but we have not decided what days we are going to use the live entertainment.

So, you know, for our purpose, we're probably gonna have seven days a week, but as a matter of fact, it is not going to be seven days a week, the event.

CHAIR NICOLE MURATI FERRER: And then do you know this live -- for example the live band and the karaoke, do you intend to have this, if you have it, for example, on Sunday, through midnight, which is your closing hour, and then the other days that you have until 2 a.m. until then, I'm trying to get a picture of what exactly it will look like.

ATTY WEI JIA: We have in our mind operating seven days a week and no later than 10

p.m. on a daily basis.

CHAIR NICOLE MURATI FERRER: Are you going to add an area -- I need -- do you know -- I think you put it here. Yeah. The live stage.

CHAIR NICOLE MURATI FERRER: Is this right here?

JUNGLE WANG: Yes, it is the TV.

CHAIR NICOLE MURATI FERRER: Can you tell me where the street is, only because based on the plan I don't know.

JUNGLE WANG: The street is on Binney.

SUMIAO CHEN: Binney is down the back.

CHAIR NICOLE MURATI FERRER: Okay. So it's gonna be down the side of Binney?

SUMIAO CHEN: Yes.

CHAIR NICOLE MURATI FERRER: Ms. Boyer, do you have any issues in terms -- that you know of in terms of residential complaints about noise in that area at all? I know that they haven't

been open yet so, obviously, it won't be attributable to them.

ANDREA BOYER: They have been unloading and loading above the allowable hour.

CHAIR NICOLE MURATI FERRER: Okay. Thank you.

Do you guys have any other questions?

ACTING POLICE COMMISSIONER BRENT LARRABEE: No.

ACTING FIRE CHIEF GERARD MAHONEY: Nothing.

CHAIR NICOLE MURATI FERRER: Anything else to add?

ATTY WEI JIA: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I vote to grant.

ATTY WEI JIA: Thank you.

CHAIR NICOLE MURATI FERRER: Thank you.

Do you know when you will be opening?

SUMIAO CHEN: We are doing a soft opening by July 10 and grand opening two weeks after soft opening.

CHAIR NICOLE MURATI FERRER: Looking forward to it. Thank you.

APPLICATION: RJ HEART, LLC.

D/B/A MAMALEH'S DELICATESSEN.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, RJ HEART, LLC, doing business as Mamaleh's Delicatessen, holder of a common victualler all alcohol license at 1 Kendall Square B300 has applied for a change of hours to

8 a.m. to 12 a.m., Monday through Sunday with alcohol service starting at 10 a.m. on Sunday. Currently approved 10 a.m. to 10 p.m. every day.

CHAIR NICOLE MURATI FERRER: Good afternoon. Could you please state and spell your names for the record.

ATTY DAVID LIPSHUTZ: Good afternoon. David Lipshutz, Seegel Lipshutz & Lo. Attorney for RJ Heart. L-I-P-S-H-U-T-Z.

JOHN KESSEN: John Kessen, K-E-S-S-E-N. One of the owners of Mamaleh's.

RACHEL MILLER MUNZER: . Rachel Miller Munzer, M-I-L-L-E-R space M-U-N-Z-E-R. Also an owner.

CHAIR NICOLE MURATI FERRER: So it looks like you guys are squeaking by before the decision expires.

ATTY DAVID LIPSHUTZ: That's the next one.

CHAIR NICOLE MURATI FERRER: Ah. See, you guys confuse me all the time.

CHAIR NICOLE MURATI FERRER: In your application you have change of hours Monday through Sunday 8 a.m. to midnight. But you know you can't serve alcohol before 10 a.m. on Sunday.

JOHN KESSEN: Correct.

CHAIR NICOLE MURATI FERRER: So would have to to, if we approved this, we have to amend the Sunday. The earliest we could consider is a 10 a.m. opening for alcohol.

RACHEL MILLER MUNZER: Yes.

JOHN KESSEN: Is that not automatically stipulated?

CHAIR NICOLE MURATI FERRER: Well, you wrote you want to open at 8 a.m. on Sunday.

JOHN KESSEN: For bagels and cream cheese.

CHAIR NICOLE MURATI FERRER: I want to

clarify that no alcohol before 10 a.m.

We are all aware of this?

RACHEL MILLER MUNZER: Oh yeah.

CHAIR NICOLE MURATI FERRER: I will write it down. I wanted to confirm we're all on the same page as this.

JOHN KESSEN: We have been opening since 8 on Sundays for almost a year without serving alcohol.

CHAIR NICOLE MURATI FERRER: Okay. Then this would just be to stay open a couple hours more? Yes?

JOHN KESSEN: Yes.

ATTY DAVID LIPSHUTZ: Yes.

CHAIR NICOLE MURATI FERRER: What is the need for that?

JOHN KESSEN: We found that there's a demand past 10 p.m. and not as late as State Park is open until 1 or 2 a.m., but stay open until

midnight, eating in a deli with a full liquor license.

ATTY DAVID LIPSHUTZ: It is part of being open for a year now and understanding client base and what is going on in the area.

CHAIR NICOLE MURATI FERRER: I do note for the record that we received letters of support from the East Cambridge Business Association and Councillor Toomey for this extension.

Do you guys have any questions?

ACTING POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would vote to grant.

APPLICATION: DIP DOG, INC.

D/B/A HUNGRY MOTHER

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, Dip Dog Inc, doing business as Hungry Mother, holder of a common victualler all alcohol license at 233 Cardinal Medeiros avenue has applied for a change of d/b/a to Cafe Du Pays.

ATTY DAVID LIPSHUTZ: My name is David Lipshutz. I'm the attorney for Dip Dog.

JOHN KESSEN: John Kessen, part owner.

RACHEL MILLER MUNZER: Rachel Miller Munzer, part owner.

CHAIR NICOLE MURATI FERRER: When are you guys looking to open?

JOHN KESSEN: On Monday.

ATTY DAVID LIPSHUTZ: Right away. But it is a process.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Good thing we made it here.

CHAIR NICOLE MURATI FERRER: Yeah, absolutely.

And the change in d/b/a, are you changing the concept as well and can you tell me a little about it?

JOHN KESSEN: French-Canadian. A copy of the menu. One of our partners Heather, her ancestors were French Canadian. It is a hearty cuisine including poutine, tourtieres, which is the meat pies, charcuterie. We'll lighten it up with an oysters and New England produce.

CHAIR NICOLE MURATI FERRER: We got -- have you seen your certificate of inspection?

JOHN KESSEN: Yes (indicating).

CHAIR NICOLE MURATI FERRER: Can I see

your copy?

JOHN KESSEN: You may.

CHAIR NICOLE MURATI FERRER: Did you see who it got issued to?

RACHEL MILLER MUNZER: So I use one log-in to fill out the forms.

CHAIR NICOLE MURATI FERRER: Ah.

And they can't change it?

RACHEL MILLER MUNZER: I don't know. She said I would have to use two separate log-ins. If I need to do that, I will. But she said -- I don't know if she had discussed it with you.

CHAIR NICOLE MURATI FERRER: No, no. Certainly not.

Okay. We'll look into it. I'll give this back to you. We'll look into it but it is -- let's try and clean that up so that it makes sense to everyone.

RACHEL MILLER MUNZER: I agree.

CHAIR NICOLE MURATI FERRER: But it is correct that's what we had approved the 55, is that correct, there's no change? Is that accurate to what -- I don't know that I have your file here.

JOHN KESSEN: It's not.

I have a copy of the certificate of inspection from when Hungry Mother closed. The total is actually 76. She asked me -- I don't know her name.

CHAIR NICOLE MURATI FERRER: Robin.

JOHN KESSEN: Robin asked me for an amended clear floor plan that shows seats and standing but the occupancy is 76.

CHAIR NICOLE MURATI FERRER: Okay. I mean, I thought I had your file here but I don't. We'll look into that. I just -- I got that copy as we were coming down. So I just --

RACHEL MILLER MUNZER: We're not looking

to change anything from the way it was in terms of seating and capacity.

ATTY DAVID LIPSHUTZ: There's no change in occupancy.

CHAIR NICOLE MURATI FERRER: Okay. Any other questions?

ACTING POLICE COMMISSIONER BRENT LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Yes?

EXECUTIVE DIRECTOR ELIZABETH LINT:
Because they have have not been open, the CV and entertainment licenses haven't been renewed, so they'll receive --

CHAIR NICOLE MURATI FERRER: Well, they would have to be gotten, they wouldn't be renewed at this point, yes.

ATTY DAVID LIPSHUTZ: There's no requirement for a rehearing?

CHAIR NICOLE MURATI FERRER: No, there's no requirement for a rehearing. We approved all this with the transfer of the liquor license but because you haven't been open, you didn't have to renew until 2017.

RACHEL MILLER MUNZER: So I'm just paying fees at this point or I'm filling out the --

CHAIR NICOLE MURATI FERRER: You are paying the fees.

RACHEL MILLER MUNZER: Great. I'll bring my checkbook.

CHAIR NICOLE MURATI FERRER: I would suggest coming back tomorrow so that we can try and clean up that certificate before then. I know you are trying to open on Monday.

JOHN KESSEN: We will be open on Monday.

CHAIR NICOLE MURATI FERRER: I know that

we sent a copy of the approval for your liquor license so you can purchase the alcohol and that worked? Yes?

RACHEL MILLER MUNZER: No. Apparently some of the vendors are not taking it.

CHAIR NICOLE MURATI FERRER: So we open at 8:30 tomorrow, so why don't you give me a call then. We'll try and figure everything out early tomorrow.

RACHEL MILLER MUNZER: Are you in this building?

CHAIR NICOLE MURATI FERRER: First floor.

RACHEL MILLER MUNZER: I'll come back tomorrow morning with my checkbook and patience.

CHAIR NICOLE MURATI FERRER: Thank you. Granted.

APPLICATION: TESFALEM GHEBREZGHI

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, Tesfalem Ghebrezgi has applied for a Cambridge Hackney driver's license.

CHAIR NICOLE MURATI FERRER: Hackney driver's license?

Second call.

APPLICATION ZAVOO, INC.

D/B/A EV00/Za

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, Zavoo Inc, doing business as EV00/Za, Steven Kurland, manager, holder of a common victualler all alcohol license and entertainment license at 350 Third Street has applied to amend the existing entertainment license to include dancing by patrons, dancing exhibition, DJ, live music with and without amplification, two phonograph record machines, TV, video screen, or film projector screen, radio tape machine, CD, computerized media playing

music above conversation level.

This entertainment license is being applied for their outdoor patio on private property.

CHAIR NICOLE MURATI FERRER: Good afternoon. Please state and spell your name for the record.

STEVEN KURLAND: Steven Kurland,
S-T-E-V-E-N K-U-R-L-A-N-D.

CHAIR NICOLE MURATI FERRER: Kika has no issue with this?

STEVEN KURLAND: No. Kika loves it. They get the overflow.

CHAIR NICOLE MURATI FERRER: Can you tell me where exactly the music goes? Is this -- it is live music, correct?

STEVEN KURLAND: We currently have been doing live music with one-day licenses.

It is just basically an effort to make

things simpler for everybody and give us more flexibility. So on your diagram, if you see where the EV00 tables are, they are probably labeled with the numbers that say 500s. I can show you on the -- it will be easier to show you. The band is here.

CHAIR NICOLE MURATI FERRER: Inside your place?

STEVEN KURLAND: Outside. This is our place and we have --

CHAIR NICOLE MURATI FERRER: This the outdoor area where everything is, where that really loud fan is?

STEVEN KURLAND: That comes out the door that is required by you. And this is Kika over here. This is Broad Canal, which is a private way. So Kika is over one patio from there.

CHAIR NICOLE MURATI FERRER: Oh, they probably don't even hear it from that fan.

STEVEN KURLAND: You are a big fan of that fan.

CHAIR NICOLE MURATI FERRER: And all this other stuff, like the dancing by patrons, is that --

STEVEN KURLAND: What we are trying to do, is we have a couple bands that have been rotating. A few people get up and dance in that little blank area. Between there is a blank area, and so that's -- people dance a little there. It is not like a giant disco or anything.

And we have -- on a couple of occasions some people wanted a DJ for a private event out there. We keep everything at a reasonable volume. We have residents above us.

CHAIR NICOLE MURATI FERRER: So you have the DJ here but where are the speakers?

STEVEN KURLAND: With the DJ. They face the restaurant.

CHAIR NICOLE MURATI FERRER: And the residences then?

STEVEN KURLAND: To a degree. But generally they are at a little of an angle, so they are pushing towards the Za side of the patio.

Above us directly is a Zen garden. There's not residents directly above there.

CHAIR NICOLE MURATI FERRER: But above Za there's that --

STEVEN KURLAND: Above Za there's some residences. We've worked closely with Shawn Whitker of the Gables who is the manager. They are all rented apartments.

CHAIR NICOLE MURATI FERRER: Because I know there have been some complaints in terms of the noise.

STEVEN KURLAND: Correct

CHAIR NICOLE MURATI FERRER: Have those

been resolved?

STEVEN KURLAND: We keep it at a reasonable level. We had a bunch of people come by. We've got approval from -- as you know, that area is -- that area, part of it is owned by Biomed or managed by Biomed and part of it is managed by CBRE. They have both been fine with us.

The complaints, apparently -- and this is not me -- as people are moving in, they are told there's live music out there during the week. We have it at a reasonable time. We try to keep volume at a reasonable level. If we get a volume complaint we adjust, which hasn't been that often.

But there are two particular people who particularly don't like the volume and I've talked to them on numerous occasions and have done my best to satisfy them.

CHAIR NICOLE MURATI FERRER: Did you get Zoning approval for it?

STEVEN KURLAND: Yeah.

CHAIR NICOLE MURATI FERRER: Did Zoning sign-off?

STEVEN KURLAND: Yes.

CHAIR NICOLE MURATI FERRER: I ask because my copy has everything filled out except them.

STEVEN KURLAND: Yeah, it was the other one. Not zoning, but --

CHAIR NICOLE MURATI FERRER: ISD?

STEVEN KURLAND: Yes. I went over there and they sent a separate letter to Ms. Lint.

CHAIR NICOLE MURATI FERRER: What I have is not -- I mean --

STEVEN KURLAND: They gave me -- I went that day and I went to get it signed off at Zoning, Zoning sent me to the other office, which

is --

EXECUTIVE DIRECTOR ELIZABETH LINT: Oh, it was Planning Board.

STEVEN KURLAND: Planning Board. I'm sorry. I misunderstood.

EXECUTIVE DIRECTOR ELIZABETH LINT: Liza Paden.

STEVEN KURLAND: Yeah. She signed off and forwarded the information to --

EXECUTIVE DIRECTOR ELIZABETH LINT: That's what that sign-off means.

STEVEN KURLAND: . I'm sorry.

CHAIR NICOLE MURATI FERRER: Ms. Boyer, do you have anything for us in terms of noise issues on this application?

ANDREA BOYER: Per the request of the Board, I was asked to look at some of the CAD calls that were made to 350 Third Street and from January 31, 2016 to today's date, and of the --

there was eight one-days issued since that same time frame.

There were 19 calls made to 350 Third Street. Ten of the calls were noise of another nature, other issues, whether there was another apartment or construction or equipment.

Eight were because of the speakers on the exterior of the building, not because of the one-day issued licenses.

And one was due to a one-day license that was issued recently on May 24 and there was a CAD call for that from a resident of the 350 Third residence stating there was a loud band playing in the restaurant and the officers went and they spoke to the manager and they have a permit to play until 9:00. With that said, there was a reach out to the resident and she did submit a letter. I don't know if she's here to speak or --

CHAIR NICOLE MURATI FERRER: Thank you.

And until what time is it your intent to keep this music outside playing?

STEVEN KURLAND: Right now we stop at 9:00.

CHAIR NICOLE MURATI FERRER: Would that be your practice if granted the annual?

STEVEN KURLAND: Yes.

CHAIR NICOLE MURATI FERRER: Do you guys have questions?

ACTING POLICE COMMISSIONER BRENT LARRABEE: No.

ACTING FIRE CHIEF GERARD MAHONEY: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(Response.)

CHAIR NICOLE MURATI FERRER: Sir, if you would come up and stand over here and tell us your name and the basis for your opposition.

AHMAD AKROUCHA: My name is Ahmad Akroucha. I live at 350 Third Street, Apartment 515.

CHAIR NICOLE MURATI FERRER: How do you spell your name, sir?

AHMAD AKROUCHA: A-K-R-O-U-C-H-A is my last name. My first name A-H-M-A-D.

CHAIR NICOLE MURATI FERRER: Thank you. And the basis of your opposition?

AHMAD AKROUCHA: Where we going to start? With the first noise first?

CHAIR NICOLE MURATI FERRER: Well, yeah, this is an entertainment -- yeah.

AHMAD AKROUCHA: You are talking about the noise being solved. So I being complaining about the noise since 2012, you know, and I don't

know how many times, 50, 80 times, you know,
since I've been living in this apartment. And my
apartment is above the Za and EV00.

OFFICER BENNY SZETO: Are you on the
floor above the --

AHMAD AKROUCHA: I'm 5th floor. So
there's fourth and there's third and there's the
gym and then there's Za, EV00.

CHAIR NICOLE MURATI FERRER: So the gym
and how many floors up from the gym?

AHMAD AKROUCHA: Two.

CHAIR NICOLE MURATI FERRER: Because the
gym is the floor immediately above them.

AHMAD AKROUCHA: Exactly.

CHAIR NICOLE MURATI FERRER: Go ahead.
I'm sorry.

AHMAD AKROUCHA: So I just want to ask
the question: What is the ordinance noise? What
is that -- you know, at EV00, they use this

patio, the music, the outdoors music, what is it that's supposed to stop? I just want to --

CHAIR NICOLE MURATI FERRER: After the hearing, you can certainly go to speak to Ms. Boyer and she can help you sort of decipher the noise ordinance.

ANDREA BOYER: This is one of the main people that calls from the --

AHMAD AKROUCHA: So I don't know what -- really what -- I was reading and I couldn't understand anything with this kind of noise ordinance they give this. I don't understand. You know, thank you to give me the opportunity to you, like, hear my voice and I could get it directly from you, what is it they -- they supposed to -- this patio music stop the outdoors music. I just want to know.

CHAIR NICOLE MURATI FERRER: So the one-day licenses that they had allowed him to

play music on those days until 9 p.m.

AHMAD AKROUCHA: No. I mean, the noise, the outdoor speakers.

CHAIR NICOLE MURATI FERRER: So you are talking about the permanent outdoor speakers?

AHMAD AKROUCHA: Yeah.

CHAIR NICOLE MURATI FERRER: Okay.

AHMAD AKROUCHA: First, yeah. Because I'm sorry, you ask me if they resolved some issues about the noise and so we started with this first.

CHAIR NICOLE MURATI FERRER: I'm wondering, sir, so let me -- bear with me.

You have outdoor speakers on your building facing out towards Canal, so away from his residence?

STEVEN KURLAND: Yes. Under awnings facing out.

CHAIR NICOLE MURATI FERRER: Do you have

speakers inside the restaurant as well?

STEVEN KURLAND: We do. They would not hear them in the gym above us that's dropping heavy equipment that they would hear first.

CHAIR NICOLE MURATI FERRER: The speakers that you have outside, have those ever been facing towards the residences?

STEVEN KURLAND: No. They are permanent speakers facing --

CHAIR NICOLE MURATI FERRER: Okay, and your complaint in terms of the speakers, have you provided that to your company, your management company, the residential building -- or the condo association association.

STEVEN KURLAND: It is an apartment, it's Gables Management.

AHMAD AKROUCHA: I reported to concierge. I report the -- usually when I started complaining, like, music 12:00, 12:30, after

midnight, you know, and then -- you know, then I go down to the concierge and I tell him and they go there and they tell them.

And then, you know, I mean, this is -- I'm talking about for the last four or five years.

And then, I mean, recently, you know, how many times this year, I'm sorry, I just -- I didn't know that there's a hearing, so I rushed, I could have brought the days when I called the concierge and the concierge went to the restaurant and he said "Well, the music, it's on, people complaining" and they said "Okay, we'll stop it." Like 11:30, ten minutes to 12.

I just wonder, are they allowed to do that or not? So I report that to concierge, and concierge make a report and sent to the building management.

A couple months ago, I approached the

building manager again and I said, you know, "I just want to know exactly what is -- you know, I may be -- I just want to know if they have the right to keep the music on, the patio music, even it is not open yet? I just want to know. Even if it's open, are they allowed to do it, like, after 11:00, after 11:30, almost midnight?" He said he will find out.

And I followed up with him and he said he will check the lease, you know, the building manager. So this is how this ended.

But last year, I called because I got no response from -- you know, I reported to the concierge, the concierge knock on their door and say "Hey, nobody on patio. It is 11:30, quarter to 12, 12:00," so they shut off the music.

But then I gave up and so I start calling the hotline -- or what is it? You know, how many times the police came and knock on the door and

say "Hey, stop the music."

CHAIR NICOLE MURATI FERRER: Okay. Thank you.

AHMAD AKROUCHA: How many times? I'm sure you have all the records, you know. So that's why I want to know if -- do I have the right, you know, to complain or is it my right, you know. I don't know if they have permission to keep the music on until 12 midnight, until 11:30, so I would keep my mouth shut and that's it. Either I accept this or I move out.

CHAIR NICOLE MURATI FERRER: You always have the right to complain, that's your right but -- -

AHMAD AKROUCHA: To my opinion, I mean, you know -- I mean, I go to bed. I work at 6:00 in the morning.

CHAIR NICOLE MURATI FERRER: Let me ask you a question: Their current application is to

have an annual license that allows them to have this music from 11 a.m. until 10 p.m., would you have an issue with that, and if you do, I just want to know your issue with that?

AHMAD AKROUCHA: 11 a.m. to 10 p.m.? To play what, the music?

CHAIR NICOLE MURATI FERRER: To play music.

AHMAD AKROUCHA: Inside or outside?

CHAIR NICOLE MURATI FERRER: We don't tell them what kind of music to play.

AHMAD AKROUCHA: You mean outdoors music?

STEVEN KURLAND: Outdoor music.

AHMAD AKROUCHA: The bands like you had last week?

STEVEN KURLAND: That would be typical.

AHMAD AKROUCHA: Definitely I object to that. Tell you honestly, you know, this month I said -- well, it's Ramadan, was Holy month, I was

fasting. I said "I'm going to make peace with this, I'm not gonna say anything." I swear last week, you know, I had the severe headache, you know, and I was fasting, and with this band, you know, trombone and trumpet, and what is it?

The --

CHAIR NICOLE MURATI FERRER: Drums.

AHMAD AKROUCHA: Drums, and you know, I mean, I can't have conversation with my wife. I can't sit and I have a peaceful dinner. I can't pray. You know, like, one hour I had severe headache. I swear. You know, I went to the bathroom, I locked the door and laid down in my bathroom. You know, what else I'm gonna do, you know, so just be honest with you, you know.

CHAIR NICOLE MURATI FERRER: Thank you, sir.

And just for the record, we do have an email from Rachel N. Miller with regard to the

noise. She calls them concerts, bounces off the buildings, quite loud. And just basically in opposition due to the noise.

Do you have anything to say with regard to that, what you heard?

STEVEN KURLAND: I've talked to this gentleman on the phone. I've talked to her on the phone and in both instances I'm trying to reassure them we are trying our best to keep in with all the laws, that we try to make it a reasonable time. Outdoor music -- just a point of information, is our outdoor music we turn off as our last guest leaves the patio.

So our liquor license actually goes much later than we currently use it.

As soon as we see the last person off the patio or our regular closing time, we turn off the music.

It is possible we have missed, and if so,

I apologize to the gentleman and anyone else, but it would be unusual.

We have the staff pretty much programmed as the last guest goes, they hit the amplifier and it goes off.

You know, as I said, we always -- I actually asked if there was a specific decibel ordinance. I bought a decibelometer, a meter that measures the decibel, so that I can try to stay in compliance. And I haven't received the information that there's a specific number, but certainly if someone gives it to me, I will keep it that way.

We have been using regular bands and they are always very flexible if we say "Can you bring it down." The managers and the staff are out there monitoring it. We try our best.

It's not a band if you can't hear it, to some degree, and it is an attraction for people,

and that's why we do it.

As I said, we have a bunch of these -- we had many, many, one-day licenses and we are just trying to simplify the process to make it more flexible for the guests coming to the restaurant.

CHAIR NICOLE MURATI FERRER: Would you have this live music with amplification seven days a week, is that the intent?

STEVEN KURLAND: We would like to be able to have it seven days a week but currently we have it once a week. And I don't imagine we have it much more than that unless we have a special event. It is not our plan to have it every day.

CHAIR NICOLE MURATI FERRER: Questions?

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Do we have any reports from either Ms. Boyer or from Officer Szeto regarding any of this?

CHAIR NICOLE MURATI FERRER: Ms. Boyer,

do you have any reports regarding any of these complaints?

ANDREA BOYER: We do have the CAD reports. Not here right here, but we do have them

CHAIR NICOLE MURATI FERRER: Not reports. From you specifically?

ANDREA BOYER: No.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: I would like us to do a little bit of independent investigation of this and give his complaints and give him fair reading of the -- an anecdotal presentation is, but I would like something, a recommendation from you and from Officer Szeto about the situation. Maybe give it a little more comprehensive review,.

I understand your position and I understand his position.

Before I act, I would like something in writing that says we sustain these complaints or

we don't.

ACTING FIRE CHIEF GERARD MAHONEY: I agree with the Commissioner.

CHAIR NICOLE MURATI FERRER: We will defer on this matter. But to do that, to be fair, we would have to issue some kind of one-day license or something like that so that -- because right now there would be no music outside of comparable nature.

ACTING POLICE COMMISSIONER BRENT LARRABEE: In fairness I would concur with that. I would like a timely report. I don't want it go a month. A couple weeks maybe at the most.

STEVEN KURLAND: To this point, I continue to apply for one-day licenses? We are basically doing music every Wednesday unless there's a rain or an issue.

ANDREA BOYER: See you next week then.

CHAIR NICOLE MURATI FERRER: Why don't we

approve for the next two Wednesdays, a one-day and then the next two Wednesdays, are you here the next two Wednesdays.

ANDREA BOYER: I am.

CHAIR NICOLE MURATI FERRER: And then Ms. Boyer can do an investigation and we'll come back and regroup so that we can actually vote on this application.

STEVEN KURLAND: I appreciate you helping me with that.

CHAIR NICOLE MURATI FERRER: So we would grant and I would do it until 9 p.m., the next two Wednesdays.

STEVEN KURLAND: That's fine.

CHAIR NICOLE MURATI FERRER: Okay.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: I concur.

STEVEN KURLAND: I appreciate and I will say that the other -- just informationally, there

are other restaurants opening up and intending to do these things. We want to set a great trend. We are members of the Kendall Square Association. We do a lot with the other restaurants and we want to make sure everything is --

CHAIR NICOLE MURATI FERRER: Thank you. Appreciate it.

APPEAL: BRETT BAPTISTE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Appeal: Brett Baptiste due to denial of the issuance of a jitney license.

CHAIR NICOLE MURATI FERRER: Brett Baptiste?

(No response.)

(Discussion off the record.)

CHAIR NICOLE MURATI FERRER: So returning to the application for Dip Dog, Inc, to change their d/b/a to Cafe Du Pays, is there anyone here

to speak on that matter?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: None. And just again we grant the d/b/a. Granted. Thank you.

Now back to the appeal of Brett Baptiste.

CHAIR NICOLE MURATI FERRER: Good afternoon. Could you please state and spell your name for the record?

BRETT BAPTISTE: Brett Baptiste,
B-R-E-T-T B-A-P-T-I-S-T-E.

BRIAN BUCKLEY: Brian Buckley, B-R-I-A-N
B-U-C-K-L-E-Y.

CHAIR NICOLE MURATI FERRER: Can you stand and be sworn in by Ms. Lint.

(Parties sworn.)

CHAIR NICOLE MURATI FERRER: Thank you. So Mr. Baptiste, your jitney -- your request for a jitney license was denied, can you tell me about your driving history and the DWIs on it?

BRETT BAPTISTE: I received an OUI five years ago April, so a little over five years ago.

CHAIR NICOLE MURATI FERRER: In Massachusetts?

BRETT BAPTISTE: Yes, I was in Wareham.

CHAIR NICOLE MURATI FERRER: And there was something that came up more recently in terms of that on your driving history.

BRETT BAPTISTE: So when I went to court,

I believe it was August 30 when I got the -- I was on probation for it, so --

CHAIR NICOLE MURATI FERRER: How long were you on probation?

BRETT BAPTISTE: I believe it was one year, I wanna say.

CHAIR NICOLE MURATI FERRER: So your probation was just cleared, is that what you are saying?

BRETT BAPTISTE: No, that's when I got it, five years ago.

CHAIR NICOLE MURATI FERRER: There was a hearing with regards to something that you went to in 2016 with regard to the OUI, at least that's how that shows up on your driving history.

BRETT BAPTISTE: I waited a while. Pretty much I lost my license and I -- at the time I was bad into drugs and I checked myself into a program and moved up to Boston, and being

around public transportation, I didn't see the need to drive, so I waited until when I was in the program. I believe it was 2013, 2014, I took the classes and I didn't pay my fines until, yeah, early last year.

CHAIR NICOLE MURATI FERRER: That's why it shows up again because you didn't pay them until last year?

BRETT BAPTISTE: Exactly.

CHAIR NICOLE MURATI FERRER: Okay.

Mr. Buckley?

BRIAN BUCKLEY: I'm the operations manager for Old Town Trolley Tours and we brought Brett onboard the latter part of last year. And he was upfront with us as to his previous situations and was very honest with us and open. We brought him onboard.

At that point the City of Cambridge wasn't requiring CORI background checks and we

brought him onboard to drive with us.

Subsequent to that time period, the CORI background checks were in effect, and he was denied his jitney license.

We also worked with the City of Boston and the Hackney division over there, they will grant him a Hackney license at the end of August.

He's done --- he's been an exemplary employee for us and we vetted him and found him to be suitable to our standards for employment.

We had him doing other kinds of things since he received his CDL from us; however, he's not able to give tours in the City of Cambridge without the jitney license.

We have been assured by the City of Boston that they will provide him the Hackney license at the end of August at the end of that probationary period. We're asking --

CHAIR NICOLE MURATI FERRER: I'm sorry,

the probationary period of what? Is it a court probationary period?

BRETT BAPTISTE: No, that's all done with.

CHAIR NICOLE MURATI FERRER: Yeah.

BRIAN BUCKLEY: It had nothing to do with court.

CHAIR NICOLE MURATI FERRER: Okay. I got confused there for a moment.

BRIAN BUCKLEY: They are going to grant him on August 30, a Hackney license which will allow him to drive for us, drive and give tours. And we are asking that given he started his employment with us before the requirement went into effect of Cambridge looking at the CORI backgrounds, that you would be able to grant him a jitney license in Cambridge.

CHAIR NICOLE MURATI FERRER: You've had -- since that incident, you had -- I didn't

see anything on your driving history, is that correct?

BRETT BAPTISTE: That's correct.

CHAIR NICOLE MURATI FERRER: No other moving violations?

BRETT BAPTISTE: Not since, no.

ACTING POLICE COMMISSIONER BRENT LARRABEE: He wasn't driving.

BRETT BAPTISTE: I waited. I got my license, let's see, earlier last year, January, I want to say last year, I did wait. I didn't see the need for it. I'm trying to progress in my life and I was been pushing towards this. This company is great. They trained me rigorously and I feel comfortable. I wouldn't say that before. It is nerve-racking with those big trolleys. They do a great job training and I hope I can go further with this.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: How long has he been with the company?

BRIAN BUCKLEY: A little over six months.

BRETT BAPTISTE: I started in November of last year.

ACTING FIRE CHIEF GERARD MAHONEY: Is this your full-time employment?

BRETT BAPTISTE: This job is, yes.

ACTING FIRE CHIEF GERARD MAHONEY: So you are placed -- Mr. Butler, you said he will be allowed a Hackney license in the City of Boston this August?

BRIAN BUCKLEY: The captain/lieutenant of the Hackney division told us August 30 he will be granted a Hackney license.

ACTING FIRE CHIEF GERARD MAHONEY: You've had no other infractions or run-in with the law since the OUI incident?

BRETT BAPTISTE: That's correct.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Do you have a stay-away order?

BRETT BAPTISTE: What's that?

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Do you have a stay-away order?

BRETT BAPTISTE: No.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: A restraining order?

BRETT BAPTISTE: No. That was previous,
a long time ago.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: That's been resolved.

BRETT BAPTISTE: Yes.

CHAIR NICOLE MURATI FERRER: Considering
this happened a while ago and it has been
resolved, that the state of Massachusetts has
returned your driver's license, that you took
classes for a year, that you sought help in terms
of the issues that you had described, and
Mr. Buckley's recommendation and endorsement, I

would actually vote to approve the license. Not the renewal, but the jitney license.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: I would agree.

BRETT BAPTISTE: Thank you so much.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Good luck.

ACTING FIRE CHIEF GERARD MAHONEY: Best of luck.

CHAIR NICOLE MURATI FERRER: If you wait for a second, you can take that upstairs and go straight up so that you can get it today and not -- you have literally five minutes.

BRIAN BUCKLEY: Fantastic because I think I already got a ticket. Do we talk about that too?

CHAIR NICOLE MURATI FERRER: That's not us. Thank you.

VIOLATION: CRYSTAL GEORGE

D/B/A PORTER SQUARE PSYCHIC STUDIO

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Crystal George, doing business as Porter Square Psychic Studio, holder of a fortune teller license at 1923 Mass Ave for alleged violation of General Laws Chapter 140, Section 1851, operating without a license.

CHAIR NICOLE MURATI FERRER: Crystal George? Second call.

ADMINISTRATIVE AGENDA

AGRIMONY, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Agrimony, LLC is requesting a change in ownership of license number OPA10049 from TPM CSQ C, LLC at 871-873 Main Street to Agrimony, LLC.

CHAIR NICOLE MURATI FERRER: These are open air parking lot licenses?

EXECUTIVE DIRECTOR ELIZABETH LINT: They are.

CHAIR NICOLE MURATI FERRER: They have provided us the deeds, the changes, and all that, so granted as to both, I would say.

ACTING POLICE COMMISSIONER BRENT LARRABEE: Concur.

ACTING FIRE CHIEF GERARD MAHONEY: I concur.

CHAIR NICOLE MURATI FERRER: Granted.

MEDALLION 166

EXECUTIVE DIRECTOR ELIZABETH LINT: Medallion 166 was purchased by Crusader Taxi, Inc at auction. Brookline Bank is the creditor.

CHAIR NICOLE MURATI FERRER: Board acknowledges.

MEDALLION 98

EXECUTIVE DIRECTOR ELIZABETH LINT:

Medallion 98 was bid in by LAG Medallion

Financing on June 7, 2017.

CHAIR NICOLE MURATI FERRER: The board
acknowledges.

AISHANJIANG KUERBAN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Aishanjan Kuerban, on behalf of Numikoff

Consulting, doing business as Pronto Cafe at 645

Cambridge Street, holder of a --

CHAIR NICOLE MURATI FERRER: This was
taken off.

EXECUTIVE DIRECTOR ELIZABETH LINT: We
don't have the documents. I did speak with him
and he said he was going to email them but I
don't think he has.

SATER REALTY, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Request for reconsideration, Sater Realty, LLC
has sent a letter requesting a reconsideration of
the Board's vote of May 24, 2017 not to cancel
the license No. ACH01615, T.T. the Bears.

CHAIR NICOLE MURATI FERRER: Based on the
ABCC's recent decision, as well as the state of
the law, I mean the landlord doesn't really have
standing to appeal our decision or ask us to
reconsider, so I would say that we just
acknowledge receipt of this letter and the number
of letters that we received from multiple people
with regard to this letter and the situation and
we just acknowledge and put it in the file for
future reference.

Board acknowledges.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Note receipt.

CHAIR NICOLE MURATI FERRER: Note receipt of the letters.

ROXTAR FOODS, LTD

EXECUTIVE DIRECTOR ELIZABETH LINT:

Roxtar Foods Limited, doing business as Pammy's, holder of an all alcohol common victualler license at 928 Massachusetts Ave has applied for an annual entertainment license for a radio, phonograph, TV, video screen, or film projector and media playing music at conversation level from 5 p.m. to 1 a.m., seven days per week.

CHAIR NICOLE MURATI FERRER: Just for the record, because I know that the agenda that was published that we had the Highgate Hotel and I know Ms. Lint said at the beginning that that matter has been resolved.

I just wanted to clarify for the record that the applicant had to submit extra documents

to the ABCC investigators and those were received and final approval was received on June 27 and so that's why it is off.

With regard to Roxtar Foods, Ltd, just, it is a little unclear, but on the application, because they changed a couple times, but for the record they have removed -- they had originally requested for live musical instruments without amplification.

They've removed that request from their application since it is not allowed currently under the zoning code there.

Other than that, I would vote to grant their radio and media at conversational level.

ZAGLOUL E. AYAD

EXECUTIVE DIRECTOR ELIZABETH LINT:

Zaglou1 E. Ayad on behalf of the Voices of the Arab World, Inc. is requesting additional time to

pay his fee as he has been hospitalized.

CHAIR NICOLE MURATI FERRER: He had a bypass.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Yup. He has been in the hospital and he's still recovering and he's asking for some additional time to pay the fee. I would say 90 days. 60 days, I'm not sure.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: 90.

ACTING FIRE CHIEF GERARD MAHONEY: 90.

CHAIR NICOLE MURATI FERRER: 90 days.

EXECUTIVE DIRECTOR ELIZABETH LINT: He sounded terrible.

HOLLY HESLOP

EXECUTIVE DIRECTOR ELIZABETH LINT: Holly Heslop on behalf of Flying Toad, LLC, doing

business as Cambridge Common is requesting to increase the number of TVs they have from five to nine.

CHAIR NICOLE MURATI FERRER: Granted.

BON ME FOODS, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Bon Me Foods, LLC, holder of license No. PED10018 has applied for an amendment for their existing license on Thursday, July 6 to vend at Divco West from 5:30 to 8:30 and on Monday July 10, 2017 to vend at Sanofi-Genzyme from 12 p.m. to 3 p.m..

There was a question on the parking on one of the ones from Genzyme, I have a voicemail from Steve LaRosa and I can't quite put it altogether, but it looks like he did not approve the parking on the street. That would have to be on Genzyme's property.

CHAIR NICOLE MURATI FERRER: So it's

requesting that the community event North Point, outside of North Point, on private property. Is this the next one?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is the next one at Genzyme.

CHAIR NICOLE MURATI FERRER: I don't have that one here. Hold on. Let's do this in order.

CHAIR NICOLE MURATI FERRER: I would vote to grant the one at 148 -- the DWNT property, LLC, yes, that's the one that's going to happen on July 6.

EXECUTIVE DIRECTOR ELIZABETH LINT: July 6, yes.

CHAIR NICOLE MURATI FERRER: And that's on private property. Vote to grant on that one.

ACTING POLICE COMMISSIONER BRENT LARRABEE: I concur.

CHAIR NICOLE MURATI FERRER: With regard to the July 10, I would vote to grant only if

parked on Genzyme property since we have confirmation that they do not have the authority to park on the public street. Yes?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. It is difficult -- you know, how the translation comes through the voicemail, but it appears that it's not.

CHAIR NICOLE MURATI FERRER: So I would vote to grant if they park at Genzyme property and they may park on public property if we get Traffic and Parking confirmation on that. I vote to grant.

ACTING POLICE COMMISSIONER BRENT LARRABEE: I concur.

JIM DIMAURO

EXECUTIVE DIRECTOR ELIZABETH LINT: Jim DiMauro on behalf of White Mountain Cable has applied for a special noise variance to be

exercised on June 29 and 30 from 7 p.m. to 5 a.m. at Main and Wadsworth Streets to repair Verizon conduit.

CHAIR NICOLE MURATI FERRER: Why don't you read all of his.

EXECUTIVE DIRECTOR ELIZABETH LINT: I am.

July 6 to 7 from 7 p.m. to 5 a.m. at 1410 Cambridge Street for a jackhammer, vac truck, and paving equipment for repair of a Verizon duct.

July 10 through 11 from 7 p.m. until 5 a.m. at 454 Broadway for digging to repair a broken Verizon conduit.

CHAIR NICOLE MURATI FERRER: So the only issue that was flagged by other departments for us on this is that the jackhammering and vacuum, the hours, since they are asking from 7 p.m. to 5 a.m., they recommended that we grant the variances as-is, but asked that the jackhammer and vacuum stop by 9 p.m.

I would concur.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: I agree. That's reasonable.

CHAIR NICOLE MURATI FERRER: Granted to all three with the conditions that the jackhammering and vacuum must stop by 9 p.m.

JENNIFER WHITNEY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Jennifer Whitney on behalf of Shaw Design & Construction has applied for a special noise variance to be exercised on July 15 and July 22, 2017 from 7 a.m. to 6 p.m. at 45 Quincy Street, 45 Oxford Street for a crane and associated trucks and lifts to remove four end wall panels.

CHAIR NICOLE MURATI FERRER: Nothing was flagged on this, so I would vote to grant as requested.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

CHAIR NICOLE MURATI FERRER: Granted.

MALT AND WINE LICENSES WITH OR WITHOUT
ENTERTAINMENT

SHELBY SMITH

EXECUTIVE DIRECTOR ELIZABETH LINT:

Shelby Smith on behalf of Alexandria Real Estate
Equities, Inc. has applied for a malt and wine
license with entertainment to be exercised at
Tech Square's courtyard, near Main Street, on
July 23, 27, August 10 and August 24 from 4:30
for a concert with recorded, live music with 150
expected.

CHAIR NICOLE MURATI FERRER: Granted.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

JEFF MARCOUX

EXECUTIVE DIRECTOR ELIZABETH LINT: Jeff Marcoux on behalf of Alexandria Real Estate Equities, Inc. has applied for a malt and wine license with entertainment to be exercised in the lower courtyard of One Kendall Square, near Hampshire Street, on July 6 and 20, August 3 and 17 from 4:30 to 7:30 for a concert with recorded live music.

CHAIR NICOLE MURATI FERRER: I would only grant as to the entertainment license.

I will deny as to the alcohol portion and that's because they put on their application that the alcohol will not be sold by them, so the individuals that are -- and they are not controlling it, so the individuals that will be, will have to apply individually.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Agree.

EXECUTIVE DIRECTOR ELIZABETH LINT: And they are aware of that.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: What does that mean?

CHAIR NICOLE MURATI FERRER: So they applied for an alcohol and entertainment and then they flagged for us that they -- they are not -- that the different restaurants are the ones that are going to be selling the alcohol.

We contacted them to make sure what was going on, and they said "Oh, after we submitted the application, we realized that the individual persons that are going to be selling the alcohol, that they have to get their license." So I'm only granting it as to the entertainment portion and denying it as to the alcohol.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Okay. I understand now. Thank you.

PHILIP BANNATYNE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Philip Bannatyne on behalf of Cambridge Brewing Company has applied for a malt license to be exercised at North Point Common, 30 North Point Boulevard on private property, on July 20 from 5:30 to 8:30 for a concert.

CHAIR NICOLE MURATI FERRER: Granted.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

TABATHA STEPHENS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Tabatha Stephens on behalf of Peak Organic Brewing Company has applied for a malt and wine license to be exercised at North Point Common, 30 North Point Boulevard, private property, on July 6 from 5:30 to 8:30 for a concert.

CHAIR NICOLE MURATI FERRER: Granted.

Alcohol must be -- we are still at Peak Organic Brewing Company?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

PAUL CLARK

EXECUTIVE DIRECTOR ELIZABETH LINT: Paul Clark has applied for a malt license to be exercised at Forest City, 64 Sidney Street on July 12 from 6 p.m. to 10 p.m. for a road race.

CHAIR NICOLE MURATI FERRER: Granted but the alcohol must be sold.

Give me two minutes, Ms. Lint.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Alcohol must be sold.

VALERY FRELAND

EXECUTIVE DIRECTOR ELIZABETH LINT:

Valery Freland has applied for a wine license to be exercised at 194 Brattle on July 13 from 6 p.m. to 9 p.m. for a party.

CHAIR NICOLE MURATI FERRER: Granted.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

CRAIG HILL

EXECUTIVE DIRECTOR ELIZABETH LINT: Craig

Hill on behalf of Blueprint Medicines has applied for a malt and wine license to be exercised at grass common area, 45 Sidney Street, a private way on July 20 from 3:30 p.m. to 6 p.m. for a company after-work gathering.

CHAIR NICOLE MURATI FERRER:: Granted.

Police detail required.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

CHRISTINA BENCIVENNI

EXECUTIVE DIRECTOR ELIZABETH LINT:

Christina Bencivenni on behalf of Bantam Cider has applied for a malt and wine license to be exercised at North Point Common, 30 North Point Boulevard on July 13 and 20 from 5:30 to 8:30 for a concert.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

NICOLE PHILLIPS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Nicole Phillips on behalf of Bartending Service of New England has applied for a malt and wine license at the Harvard Museum of Natural History,

26 Oxford Street on June 30 from 6 to 8 p.m. for a reception.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

SUSAN FLEISCHMANN

EXECUTIVE DIRECTOR ELIZABETH LINT: Susan Fleischmann on behalf of Cambridge Community Television has applied for a malt and wine and entertainment license to be exercised in the parking lot behind 438 Massachusetts Ave on September 14 from 5:30 to 9 for a BBQ fundraiser.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required. And the number of drinks associated with the ticket must be a limited amount.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

MARYELLEN CARVELLO

EXECUTIVE DIRECTOR ELIZABETH LINT:

Maryellen Carvello on behalf of the City of Cambridge has applied for an entertainment license in front of City Hall, 795 Massachusetts Ave from June 30, from 7 to 11 for an annual dance party.

CHAIR NICOLE MURATI FERRER: Granted.

Fee waived.

CHRISTINE ALTIERI.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Christine Altieri on behalf of Divco West has applied for an entertainment license at North Point Common on July 6, 13, 20 and 27 from 5:30 to 8:30 for a community event with recorded live music and an amplification system.

CHAIR NICOLE MURATI FERRER: Granted.

And for the -- police detail required. And for

the record, even though the floor plan shows a beer area, the people that are selling it have applied on their own, so it's in their plan but they are not the ones selling it, which is why they only applied for an entertainment license.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

CLARA DAWLEY

EXECUTIVE DIRECTOR ELIZABETH LINT: Clara Dawley on behalf of Cambridge Public Library has applied for an entertainment license at Joan Lorentz Park, in front of the library, on July 27 from 5 to 8 p.m. for a concert with recorded live music and amplification system.

CHAIR NICOLE MURATI FERRER: Granted.

Fee waived.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

VENDORS

KRISTIN CATALDO

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kristin Cataldo, doing business as Cupcake City, has applied for a vendor's permit to sell cupcakes at North Point Common on July 6 from 6 to 8 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

DADDY'S BONE TOWN BURGERS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Daddy's Bone Town Burgers has applied for a one-day peddler's license to be exercised at North Point Common on July 6 from 5:30 to 8:30.

CHAIR NICOLE MURATI FERRER: Granted.

SARA MURPHY

EXECUTIVE DIRECTOR ELIZABETH LINT: Sara

Murphy has applied for a one-day wine and malt

license to be exercised on July 8 at Workbar, 45 Prospect Street from 6 to 8 p.m. I did confirm that with her

CHAIR NICOLE MURATI FERRER: That the admission charge is \$499?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is a \$199.

CHAIR NICOLE MURATI FERRER: Oh, okay. Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: I thought it was 499 also but it's not.

FLAT TOP JOHNNY'S

EXECUTIVE DIRECTOR ELIZABETH LINT: Flat Top Johnny's has applied for a one-day wine and malt license for July 6, 20, August 3, and 17 from 4:30 to 6:30 at One Kendall?

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Russell -- -

CHAIR NICOLE MURATI FERRER: We didn't
vote on it. He's concurring on the previous one.
Give us a sec. Granted as to Flat Top.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

RUSSELL HARDING

EXECUTIVE DIRECTOR ELIZABETH LINT:

Russell Harding applied for a one-day
entertainment license on July 1 from 10 a.m.
until 6 p.m. at 3 Greene-Rose Heritage Park, 155
Harvard Street. It is their annual BBQ.

CHAIR NICOLE MURATI FERRER: Granted.
And the peddler's application on that as well.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Concur.

EXECUTIVE DIRECTOR ELIZABETH LINT: Then

a few more were dropped off during the hearing.

Cambridge Brewing Company again.

CHAIR NICOLE MURATI FERRER: How about I read them because then we can --

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay.

PHILIP BANNATYNE

CHAIR NICOLE MURATI FERRER: Philip Bannatyne (phonetic) for Cambridge Brewing Company for the concert at One Kendall Square courtyard on July 6, 20, August 3, and 17 from 5 to 8, 200 people expected. This is the one that we did on the other stuff, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Okay. I would say --

EXECUTIVE DIRECTOR ELIZABETH LINT: That's additional dates.

CHAIR NICOLE MURATI FERRER: I would just

say granted provided that they submit the floor plan of what exactly is happening.

EXECUTIVE DIRECTOR ELIZABETH LINT: I think we have to get that from DivcoWest.

CHAIR NICOLE MURATI FERRER: Yeah, the diagram. I just -- we need to know where it is going to be.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll talk to them.

IAN GROSSMAN

CHAIR NICOLE MURATI FERRER: The next one is Ian Grossman, the Smoke Shop BBQ for the concert on July 6, 20, August 3 and August 17 from 4:30 to 7:30, malt and wine.

Granted with the same provision, we need the floor plan.

Just for the record, Ms. Boyer provided us, I guess, EV00/Za, provided us the one-day

entertainment license applications, which we approved on the record, but we actually have paperwork now, 4 to 9 on July 5 and July 12.

Granted, as our previous vote reflects.

Then second calls again for Crystal George.

It being 5:20 p.m., they have not shown up. They have failed to renew. I would vote to send them a cease and desist letter.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: Agreed.

ACTING FIRE CHIEF GERARD MAHONEY:

Concur.

ACTING POLICE COMMISSIONER BRENT

LARRABEE: They probably already know that.

CHAIR NICOLE MURATI FERRER: Because they are psychic.

The next matter is Tesfalem Ghebrezghi. He's applying for a driver's license for a

Hackney. No one showing up. No action.

I know we have minutes. I did not actually review them. I'm not sure if the other two Commissioners did review them, they can approve them.

EXECUTIVE DIRECTOR ELIZABETH LINT: July 7.

CHAIR NICOLE MURATI FERRER: I reviewed the one from Monday. What was that, June --

EXECUTIVE DIRECTOR ELIZABETH LINT: The one I wasn't here. The 6th.

CHAIR NICOLE MURATI FERRER: I cut you off, Chief, you reviewed June 7? June 7, you both approve.

ACTING POLICE COMMISSIONER BRENT LARRABEE: Yes, I do.

CHAIR NICOLE MURATI FERRER: The minutes are approved. I abstain from voting, and then the June 19 minutes, those I did review. Did you

guys review those?

ACTING FIRE CHIEF GERARD MAHONEY: Yes.

CHAIR NICOLE MURATI FERRER: Sent by Ms.
Young.

ACTING POLICE COMMISSIONER BRENT
LARRABEE: Yes, I read those.

CHAIR NICOLE MURATI FERRER: Are we going
to approve them?

ACTING POLICE COMMISSIONER BRENT
LARRABEE: Yes.

CHAIR NICOLE MURATI FERRER: Approved.

(Meeting adjourned)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

I, Jill Kourafas, a Notary Public in and
for the Commonwealth of Massachusetts, do hereby
certify:

That the hearing herein before set forth
is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 3rd day of July 2017.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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